IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

MONDAY, THE 12TH FEBRUARY 2007 / 23RD MAGHA 1928

WP(C).No. 2859 of 2007(M)

PETITIONER:

A.R.STEPHEN, KANIYAMPARAMBIL,
KUTHIATHODU P.O., CHERTHALA, ALAPPUZHA DISTRICT.

BY ADV. SRI.JOHN JUDE ISSAC

RESPONDENTS:
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1. **THE KERALA STATE FINANCIAL ENTERPRISES LTD., REGIONAL OFFICE, BHADRATHA, P.B.NO. 510, THRISSUR.**

2. **THE KERALA STATE FINANCIAL ENTERPRISES LTD., CHERTHALA BRANCH.**

3. **STATE OF KERALA, SECRETARY, REVENUE DEPARTMENT, THIRUVANANTHAPURAM.**

4. **SPECIAL DEPUTY TAHSILDAR (REVENUE RECOVERY), K.S.F.E. LTD., ALAPPUZHA.**

BY ADV. SRI.S.D.ASOKAN
BY GOVERNMENT PLEADER SMT.N.SUDHADEVI
BY ADV.SRI. RAJU JOSEPH, SC. KSFE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR, J.

W.P.(C) NO. 2859 OF 2007-M

JUDGMENT

The petitioner is in default to the 2nd respondent, in relation to a loan availed of by him from the said respondent in 2000. Since he failed to pay the instalments in time, the K.S.F.E has taken steps to recover the amount. The Deputy Tahsildar (RR) has informed the petitioner by Ext.P5 notice that if the loan amount is not paid, recovery steps will be taken. He has also been advised by the said officer, to avail the facility under the one-time settlement scheme and close the loan account. This Writ Petition is filed, challenging Ext.P5.

2. I heard the learned standing for the K.S.F.E also. Since the default is admitted, there is nothing illegal or irregular with the recovery steps taken by the K.S.F.E against the petitioner. But, if the petitioner pays Rs.7000/- and submits an application for extending the benefit of one-time settlement scheme within three weeks from today, the competent authority of the K.S.F.E shall take a decision on that application within one month from the date of receipt of the same. If an application is submitted along with the payment as directed above, within the above said time limit, further

recovery proceedings will be kept in abeyance, till a decision is taken by the competent authority on the claim of the petitioner for one-time settlement. The competent authority shall also consider whether instalment facility could be extended to the petitioner for closing the loan account.

The Writ Petition is disposed of as above.

12th February, 2007. K.BALAKRISHNAN NAIR, JUDGE.

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